

3764

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number 10/600,298

Filing Date June 20, 2003

First Named Inventor NIKOLCHEV, JULIAN N.

Art Unit 3764

Examiner Name Unassigned

Total Number of Pages in This Submission

Attorney Docket Number 016355-002580US

**ENCLOSURES (Check all that apply)**☐ Fee Transmittal Form☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/ Incomplete Application☐ Response to Missing Parts under 37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a Provisional Application☐ Power of Attorney, Revocation Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s)☐ After Allowance Communication to Group☐ Appeal Communication to Board of Appeals and Interferences☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s)  
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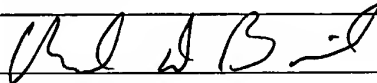
**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual

Townsend and Townsend and Crew LLP

Mark D. Barrish

Reg. No. 36,443

Signature



Date

August 25, 2003

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Edward Masinas

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August 26, 2003

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PATENT  
Attorney Docket No.: 016355-002580US

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On 08-26-03

TOWNSEND and TOWNSEND and CREW LLP

By: Edward Masinas  
Edward Masinas

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

JULIAN N. NIKOLCHEV et al.

Application No.: 10/600,298

Filed: June 20, 2003

For: CONTRACEPTIVE  
TRANSCERVICAL FALLOPIAN TUBE  
OCCLUSION DEVICES AND  
METHODS

Examiner: Unassigned

Art Unit: 3764

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

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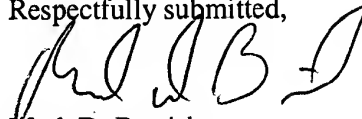
Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the references can be found in Application No. 09/592,123 and 08/474,799 (now U.S. Patent Nos. 6,526,979 and 6,176,240), filed June 12, 2000 and June 7, 1995 (Attorney Docket Nos. 016355-002540US and 016355-002400US, respectively). It is requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

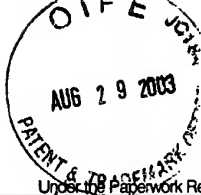
Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Mark D. Barrish  
Reg. No. 36,443

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8<sup>th</sup> Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
JKS:ewm  
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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Page **1** of **7****Complete If Known**

Application Number	10/600,298
Filing Date	June 20, 2003
First Named Inventor	NIKOLCHEV, JULIAN N., et. al.
Art Unit	3764
Examiner Name	Unassigned
Attorney Docket Number	016355-002580US

**U.S. PATENT DOCUMENTS**

Examiner	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
/M.B./	1	RE	29,345	08-09-1977	Erb	
	2	2,365,296		12-19-1944	Schimpf	
	3	3,042,030		07-03-1962	Read	
	4	3,334,629		08-08-1967	Cohn	
	5	3,404,682		10-08-1968	Waldron	
	6	3,405,711		10-15-1968	Bakunin	
	7	3,422,813		01-21-1969	Braley et al.	
	8	3,463,141		08-26-1969	Mozolf	
	9	3,467,090		09-16-1969	Zollett	
	10	3,561,438		02-09-1971	Canel	
	11	3,598,115		08-10-1971	Horne, Jr.	
	12	3,675,642		07-11-1972	Lord	
	13	3,680,542		08-01-1972	Climber	
	14	3,687,129		08-29-1972	Nuwayser	
	15	3,722,500		03-27-1973	Robinson	
	16	3,768,102		10-30-1973	Kwan-Gett et al.	
	17	3,774,600		11-27-1973	Cognat	
	18	3,803,308		04-09-1974	Zipper	
	19	3,805,767		04-23-1974	Erb	
	20	3,858,571		01-07-1975	Rudolph	
	21	3,858,586		01-07-1975	Lessen	
	22	3,868,956		03-04-1975	Alfidi et al.	
	23	3,918,431		11-11-1975	Sinnreich	
	24	3,926,195		12-16-1975	Bleier et al.	
	25	3,973,560		08-10-1976	Emmett	
	26	4,057,063		11-08-1977	Gieles et al.	
	27	4,111,196		09-05-1978	Emmett	
	28	4,135,495		01-23-1979	Borgen	
	29	4,136,695		01-30-1979	Dafoe	
	30	4,158,050		06-12-1979	Zipper	
	31	4,160,446		07-10-1979	Barrington	
	32	4,181,725		01-01-1980	Voorhees et al.	
	33	4,185,618		01-29-1980	Corey	
	34	4,245,623		01-20-1981	Erb	

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/Michael Brown/

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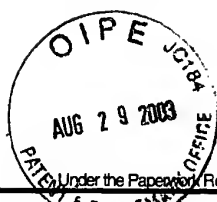
08/28/2008

<sup>1</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup> Applicant is to place a check mark here if English language Translation is attached.

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Page **2** of **7**

### Complete If Known

Application Number	10/600,298
Filing Date	June 20, 2003
First Named Inventor	NIKOLCHEV, JULIAN N., et. al.
Art Unit	3764
Examiner Name	Unassigned
Attorney Docket Number	016355-002580US

### U.S. PATENT DOCUMENTS

Examiner	Cite No.	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	35	4,326,511		04-27-1982	Zimeman	
	36	4,353,363		10-12-1982	Sopeña Quesada	
	37	4,365,621		12-28-1982	Brundin	
	38	4,374,523		02-22-1983	Yoon	
	39	4,416,660		11-22-1983	Dafae	
	40	4,478,837		10-23-1984	Schenker	
	41	4,485,814		12-04-1984	Yoon	
	42	4,509,504		04-09-1985	Brundin	
	43	4,537,186		08-27-1985	Verschoof et al.	
	44	4,579,110		04-01-1986	Hamou	
	45	4,595,000		06-17-1986	Hamou	
	46	4,601,698		07-22-1986	Moudling, Jr.	
	47	4,606,336		08-19-1986	Zeluff	
	48	4,612,924		09-23-1986	Cimber	
	49	4,628,924		12-16-1986	Cimber	
	50	4,638,803		01-27-1987	Rand	
	51	4,700,701		10-20-1987	Montaldi	
	52	4,715,365		12-29-1987	Cimber	
	53	4,727,866		03-01-1988	Livesay et al.	
	54	4,731,052		03-03-1988	Seitz, Jr.	
	55	4,788,966		12-06-1988	Yoon	
	56	4,805,618		02-21-1989	Ueda et al.	
	57	4,808,399		02-28-1989	Rypacek et al.	
	58	4,824,434		04-25-1989	Seitz, Jr.	
	59	4,932,421		06-12-1990	Kaali et al.	
	60	4,932,422		06-12-1990	Ragheb	
	61	4,937,254		06-26-1990	Sheffield et al.	
	62	4,983,177		01-08-1991	Wolf	
	63	4,994,069		02-19-1991	Ritchart et al.	
	64	5,002,552		03-26-1991	Casey	
	65	5,065,751		11-19-1991	Wolf	
	66	5,095,917		03-17-1992	Vancaillie	
	67	5,176,692		01-05-1993	Wilk et al.	
	68	5,207,684		05-04-1993	Nobles	

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<sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup> Applicant is to place a check mark here if English language Translation is attached.

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Application Number

10/600,298

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Examiner Name

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Attorney Docket Number

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		Number	Kind Code <sup>2</sup> (if known)			
	69	5,226,911		07-13-1993	Chee et al.	
	70	5,234,437		08-10-1993	Sepetka	
	71	5,250,071		10-05-1993	Palermo	
	72	5,261,916		11-16-1993	Engelson	
	73	5,304,194		04-19-1994	Chee et al.	
	74	5,304,195		04-19-1994	Twyford, Jr. et al.	
	75	5,312,415		05-17-1994	Palermo	
	76	5,354,295		10-11-1994	Guglielmi et al.	
	77	5,354,309		10-11-1994	Schnepp-Pesch et al.	
	78	5,382,259		01-17-1995	Phelps et al.	
	79	5,458,636		10-17-1995	Brancato	
	80	5,474,089		12-12-1995	Waynant	
	81	5,499,995		03-19-1996	Teirstein	
	82	5,514,176		05-07-1996	Bosley, Jr.	
	83	5,522,822		06-04-1996	Phelps et al.	
	84	5,555,896		09-17-1996	Cimber	
	85	5,556,396		09-17-1996	Cohen et al.	
	86	5,634,877		06-03-1997	Salama	
	87	5,725,777		03-10-1998	Taylor	
	88	5,755,773		05-26-1998	Evans et al.	
	89	5,795,288		08-18-1998	Cohen et al.	
	90	5,843,158		12-01-1998	Lenker et al.	
	91	5,885,601		03-23-1999	Sokal	
	92	5,897,551		04-27-1999	Everett et al.	
	93	5,954,715		09-21-1999	Harrington et al.	
	94	5,976,162		11-02-1999	Doan	
	95	5,979,446		11-09-1999	Loy	
	96	6,042,590		03-28-2000	Sporri et al.	
	97	6,066,139		05-23-2000	Ryan et al.	
	98	6,068,626		05-30-2000	Harrington et al.	
	99	6,096,052		08-01-2000	Callister et al.	
	100	6,143,007		11-07-2000	Muriant	
	101	6,164,280		12-26-2000	Everett et al.	
	102	6,176,240		01-23-2001	Nickolchev et al.	

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	103	6,526,979	03-04-2003	Nickolchev et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
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	111	EP	0 010 812	05-14-1980			<input type="checkbox"/>
	112	EP	0891757	01-20-1999			<input type="checkbox"/>
	113	EP	105669	09-21-1983			<input type="checkbox"/>
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	123	GB	2211095	06-28-1989			<input type="checkbox"/>
	124	NL	7810696	04-29-1990			<input type="checkbox"/>
	125	WO	00/44323	08-03-2000			<input type="checkbox"/>
	126	WO	01/37760	05-31-2001			<input type="checkbox"/>
	127	WO	88/09648	12-15-1988			<input type="checkbox"/>
	128	WO	93/06884	04-15-1993			<input type="checkbox"/>

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Page **5** of **7****Complete If Known**

Application Number	10/600,298
Filing Date	June 20, 2003
First Named Inventor	NIKOLCHEV, JULIAN N., et. al.
Art Unit	3764
Examiner Name	Unassigned
Attorney Docket Number	016355-002580US

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
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	130	WO	94/10936		05-26-1994			<input type="checkbox"/>
	131	WO	94/11051		05-26-1994			<input type="checkbox"/>
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	139	WO	98/31308		07-23-1998			<input type="checkbox"/>

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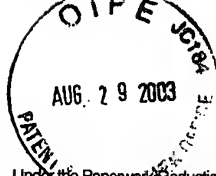
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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	140	Brueschke et al., "A steerable hysteroscopic and mechanical tubal occlusive devices" <i>Advances in Female Sterilization Techniques</i> , Sciarra et al., Eds., Harper & Row, Publishers, (1976) pp. 182-198.	
	141	Brueschke, E.E., et al., "Transcervical tubal occlusion with a steerable hysteroscope: Implantation of devices into extirpated human uteri," <i>Am. J. Obstet. Gynecol.</i> , Vol. 127, No. 2, pp. 118-124, 1977.	
	142	Brundin, J., "Transcervical sterilization in the human female by hysteroscopic application of hydrogelic occlusive devices into the intramural parts of the Fallopian tubes: 10 years experience of the P-block," <i>European Journal of Obstetrics &amp; Gynecology and Reproductive Biology</i> , Vol. 39, pp. 41-49, 1991.	
	143	Conceptus Annual Report (1995) pp. 3, 5, 7, 9, 13-14, and 22.	
	144	Conceptus Annual Report (1996) pp. x, 3, 9, and 13-14.	
	145	Cooper, "Hysteroscopic Sterilization" <i>Fertility Control</i> (1985) Corson et al., Eds., Little, Brown & Co., Boston, First Edition, pp. 119-131.	
	146	Copy of REQUEST FOR INTERFERENCE WITH U.S. PATENT NO. 6,096,052 UNDER 37 CFR §1.607 AND SECOND PRELIMINARY AMENDMENT, filed on October 3, 2001 with U.S. Patent Office.	
	147	Corfman, "An instrument for transcervical treatment of the oviducts and uterine cornua" <i>Obstetrics and Gynecology</i> (1996) 27(6):880-884.	
	148	Darabi et al., "Collaborative Study on Hysteroscopic Sterilization Procedures: Final Report" <i>Risks, Benefits, and Controversies in Fertility Control</i> (1978) Sciarra et al., Eds., Harper & Row, New York, pp. 81-101.	
	149	Erb, R.A. et al., "Hysteroscopic Oviductal Blocking with Formed-in-Place Silicone Rubber Plugs," <i>Journal of Reproductive Medicine</i> , pp. 65-68, August, 1979.	
	150	Gordon, A.G., et al., <i>Atlas of Gynecologic Endoscopy</i> , Mosby-Wolfe Press, 2 <sup>nd</sup> Edition, 1995 (Title Page and Table of Contents are enclosed herewith).	
	151	Gupta, D.N. et al., "Antifertility Effect of an Intrafallopian Tubal Copper Device," <i>Indian J. Exp. Biol.</i> Vol. 14, pp. 316-319, May, 1976.	
	152	Hamou, J. et al., "Hysteroscopic Reversible Tubal Sterilization," <i>ACTA Europaea Fertilitatis</i> , Vol. 15, No. 2, 1984.	
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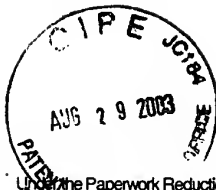
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	154	Quinones et al., "Hysteroscopic Sterilization" <i>Int. J. Gynaecol. Obstet.</i> (1976) 14:27-34.	
	155	Reed, T.P. et al., "Tubal Occlusion with Silicone Rubber," <i>The Journal of Reproductive Medicine</i> , pp. 25-28, July, 1980.	
	156	Richart et al., "Evaluation of Polymer Flock and Metal Alloy Intra-Tubal Device in Pigtail Monkeys" <i>Contraception</i> (1978) 18(5):459-468.	
	157	Ross, P.L. et al., "Transcatheter Tubal Sterilization In Rabbits," <i>Investigative Radiology</i> , Vol. 29, No. 5, pp. 570-573, 1994.	
	158	Sciarrà, "Heteroscopic Approaches for Tubal Closure" <i>Research Frontiers in Fertility Regulation</i> (1980) Zatuchni et al., Eds., Harper & Row, New York, pp. 270-286.	
	159	Sciarrà, J.J., et al., eds., <i>Advances in Female Sterilization Techniques</i> , Harper & Row, Publishers, 1976, Title Page and Table of Contents are enclosed herewith, pp. 169-181, 186-189.	
	160	Steptoe, Patrick C., "The Potential Use of Intra-tubal Stents for Reversible Sterilization," <i>Laparoscopy</i> , pp. 91-99, circa 1976.	

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